



FOR CLERK USE ONLY  
City Council  
Item No. 7

## CITY COUNCIL AGENDA FACT SHEET

City Attorney \_\_\_\_\_

Department \_\_\_\_\_

April 20, 2010

Requested Date \_\_\_\_\_

## 1. Request:

Council Approval

Information Only/  
Presentation

Other (specify) \_\_\_\_\_



Hearing



## 2. Requested Action:

Approve second reading/adoption of the ordinance suspending land-use approvals during the existence of the local emergency.

## 3. Fiscal Impact:

Revenue:

Increase



Source: \_\_\_\_\_

Decrease



Amount: \$ \_\_\_\_\_

Cost:

Increase



Source: N/A

Decrease



Amount: \$ \_\_\_\_\_

Does Not Apply ☒

## 4. Reviewed By:

Finance Dept. on \_\_\_\_\_

By: \_\_\_\_\_

Comments: \_\_\_\_\_

City Attorney on \_\_\_\_\_

Apr 13, 2010

By: \_\_\_\_\_

Comments: \_\_\_\_\_

Note: Back up must be submitted along with this form. Deadline is 5:00 p.m., 2 Fridays before the scheduled meeting date.

## CLERK USE ONLY:

CITY COUNCIL DATE: \_\_\_\_\_

Action



Filing



Consent



Presentation



Hearing



Other(specify) \_\_\_\_\_



Reviewed by: City Clerk \_\_\_\_\_

City Manager \_\_\_\_\_

Date \_\_\_\_\_

Date \_\_\_\_\_

# **CITY COUNCIL AGENDA REPORT**

**SUBJECT: SECOND READING AND ADOPTION OF AN EMERGENCY ORDINANCE OF THE CITY OF CALEXICO, CALIFORNIA, SUSPENDING AUTOMATIC APPROVAL DEADLINES FOR ALL LAND USE, SUBDIVISION, AND ZONING APPLICATIONS**

**AGENDA DATE: April 20, 2010**

**PREPARED BY: Jennifer M. Lyon, City Attorney**

**RECOMMENDATION:** Adopt ordinance by title only, waive full reading.

**DISCUSSION (Current consideration):**

A magnitude 7.2 earthquake occurred in Mexico on April 4, 2010 at approximately 3:40 p.m. The earthquake was close enough to the City that various structures and infrastructure have been damaged including damage to wastewater and water infrastructure and buildings in the downtown area. All available City personnel and mutual aid resources have been used to respond to the earthquake related issues to protect citizens and property.

State law gives the City authority to take necessary emergency actions during the time of a local emergency. This ordinance allows the City to suspend certain land-use approval timelines for a time period while the local emergency exists due to the fact that the Community Development Department is busy conducting inspections on structures within the City. The Council introduced this ordinance on April 6, 2010. If Council wishes to approve this ordinance, adoption can occur tonight.

Attachment: Ordinance

ORDINANCE NO. \_\_\_\_\_

AN EMERGENCY ORDINANCE OF THE CITY OF CALEXICO, CALIFORNIA,  
SUSPENDING AUTOMATIC APPROVAL DEADLINES FOR ALL LAND USE,  
SUBDIVISION, AND ZONING APPLICATIONS

WHEREAS, on April 4, 2010, the City of Calexico sustained damage and destruction from a magnitude 7.2 earthquake; and

WHEREAS, several City-owned buildings sustained heavy damage and required closure; and

WHEREAS, the operations of numerous City offices and departments, including offices and departments responsible for processing land use, subdivision, and zoning applications have been disrupted due to the need to conduct numerous building inspections and to close of areas within the City and employees have been displaced; and

WHEREAS, it is necessary to suspend automatic approval deadlines, including appeal deadlines, for all land use subdivision and zoning applications.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CALEXICO DOES ORDAIN AS FOLLOWS:

SECTION 1: All provisions of laws, ordinances, regulations, resolutions, rules, and statutes, including but not limited to provisions contained in the California Permit Streamlining Act, the California Environmental Quality Act, the California Subdivision Map Act, City of Calexico Subdivision Regulations and City of Calexico Zoning Regulations, establishing review deadlines and authorizing automatic approvals, are suspended for the duration of the existing emergency;

SECTION 2: This ordinance shall be effective immediately and shall apply retroactively to all applications that were on file with the City as of April 4, 2010 and to all applications filed during the emergency;

SECTION 3: This ordinance shall remain in effect until and through the last day of the existing emergency;

SECTION 4: For application review and automatic approval deadline purposes, all land use, subdivision, and zoning applications that were either on file with the City on April 4, 2010, or that were filed with the City after April 4, 2010, but during the period of the emergency, shall be considered filed on the first working day following expiration of the emergency.

SECTION 5: That the term "emergency" as used in this Ordinance shall mean the emergency declared by the City on April 4, 2010 and thereafter ratified on April 6, 2010.

SECTION 6: Within three days of the date of this Ordinance, the City Clerk is directed to cause a copy of this Ordinance to be published twice weekly for the duration of the emergency, in a newspaper of general circulation published in the City of Calexico.

EFFECTIVE DATE: This Ordinance shall take effect and be in force thirty (30) days after the date of its passage; and before the expiration of fifteen (15) days after its passage, it shall be published once with the names of members voting for and against the same in the newspaper of general circulation published in the City of Calexico.

Introduced and first read at a Regular Meeting of the City Council of the City of Calexico held the 6th day of April, 2010, and thereafter PASSED AND ADOPTED at a regular meeting of said City Council held the 20th day of April, 2010, by the following roll call vote:

ADOPTED by the City Council of the City of Calexico at a regular meeting of said Council on the 20th day of April 2010 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

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David B. Ouzan, Mayor

ATTEST:

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Lourdes Cordova, City Clerk